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UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF OREGON

In re

Darryl Newton Anderson,  
Debtor.

Case No. 10-40933-elp13

MOTION TO DISMISS OF OREGON  
DIVISION OF CHILD SUPPORT

The State of Oregon, Department of Justice, Division of Child Support (DCS), moves to dismiss this case because debtor, Darryl Newton Anderson, has failed to pay his post-petition child support. 11 USC §1307(c)(11). In support of its Motion, DCS represents as follows:

1. Debtor, Darryl Newton Anderson, filed a Petition for Relief under Chapter 13 of the Bankruptcy Code on November 17, 2010.
2. Debtor is under valid order of the State of Oregon Circuit Court for Multnomah County, Case No. 0307-67424, to pay child support for the benefit of his minor child B, born in 1993. The support order requires payment of \$299.00 per month on the 20<sup>th</sup> day of every month.
3. As of April 21, 2011, Darryl Newton Anderson is in arrears in the payment of his post-petition support in the amount of \$1,794.00 with another payment due May 20, 2011
4. Debtor's Chapter 13 plan was confirmed on February 18, 2011 [26].

5. Debtor's failure to pay post-petition support indicates that he is unable to make his Chapter 13 Plan payments while honoring his obligation to support his children.

DATED this 21<sup>st</sup> day of April, 2011.

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Of Attorneys for Oregon Division  
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CERTIFICATE OF SERVICE BY MAIL

I certify that on April 21, 2011, I served the foregoing MOTION TO DISMISS OF OREGON DIVISION OF CHILD SUPPORT upon the parties hereto by electronic mail using the courts ECF system as follows:

**BY ELECTRONIC NOTIFICATION**

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